



# COUNTY OF HUMBOLDT

For the meeting of: 5/24/2022

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File #: 22-618

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**SUBJECT:**

First Amendment to Legal Services Agreement with Water and Power Law Group PC

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached first amendment to the legal services agreement with Water and Power Law Group PC; and
2. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached first amendment to the legal services agreement with Water and Power Law Group PC to the Department of Public Works - Environmental Services for further processing.

**SOURCE OF FUNDING:**

General Fund, Wildlife Conservation Board Grant (1100-251); County Litigation Fund

**DISCUSSION:**

On May 7, 2019, the Humboldt County Board of Supervisors approved a legal services agreement (Attachment 1) with Water and Power Law Group PC regarding the provision of legal consultation services pertaining to the County of Humboldt's water delivery contract with the Bureau of Reclamation for annual releases from the Trinity Reservoir. The attached first amendment (Attachment 2) to the legal services agreement with Water and Power Law Group PC increases the hourly rates charged for the services provided thereunder.

**FINANCIAL IMPACT:**

In April 2022, the Humboldt County Department of Public Works requested that Water and Power Law Group PC provide legal assistance for the development of a water management plan for utilization of Humboldt County Contract Water from the Trinity River Division of the Central Valley Project, a project funded through a grant from the Wildlife Conservation Board ("WCB"). The total budget for this project is \$549,250 and the budget allocation for assistance from Water and Power Law Group PC is \$65,000.

Any and all legal assistance provided pursuant to the terms and conditions of the first amendment to the legal services agreement with Water and Power Law Group PC shall be compensated at hourly

rates ranging from \$100 per hour to \$350 per hour. Legal assistance provided by Water and Power Law Group PC will be funded by the WCB grant or the County Litigation Fund. Therefore, approval of the attached first amendment to the legal services agreement with Water and Power Law Group PC will not impact the Humboldt County General Fund.

**STRATEGIC FRAMEWORK:**

The recommended actions support the Board of Supervisors' Strategic Framework by managing resources to ensure sustainability of services and advancing local interests in natural resource discussions.

**OTHER AGENCY INVOLVEMENT:**

None

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board may choose not to approve the attached first amendment to the legal services agreement with Water and Power Law Group PC regarding the provision of legal consultation services pertaining to the County of Humboldt's water delivery contract with the Bureau of Reclamation for annual releases from the Trinity Reservoir. However, this alternative is not recommended since it will not allow for completion of the water management plan which is a pre-condition from the Bureau of Reclamation before Humboldt County's Contract Water is released from Trinity Reservoir.

**ATTACHMENTS:**

1. Legal Services Agreement with Water and Power Law Group PC dated May 7, 2019
2. First Amendment to Legal Services Agreement with Water and Power Law Group PC dated May 7, 2019

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: C-35  
Meeting of: May 7, 2019  
File No.: 19-499